

used, and/or sold to "others." The date that MTR was built is not known; however, MTR was built and internally used more than one year before September 11, 1997. Further the MTR Appendix that was sent in prior to this response contains features of MTR that are indicative of the MTR system that was used internally within BellSouth prior to September 11, 1997.

- B. Are the three specific improvements of the claim invention over JMOS and MTR based on a comparison as they existed more than one year prior to Applicants' earliest prior date of September 11, 1997?

The three specific improvements did not exist more than one year prior to September 11, 1997.

### CONCLUSION

The Examiner requested all information necessary to assess JMOS's and MTR's (and the various versions, i.e., various features incorporated over time, thereof) as prior art in relation to the claimed invention. Applicants respectfully submit that it appears that the JMOS system is prior art to the OSPCM system as disclosed in the present application. However, the MTR system should not be considered prior art in relation to the claimed invention because the MTR system has not been publicly disclosed, used, and/or sold to "others" and currently remains exclusively within BellSouth.

Respectfully submitted,



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